

**Questions and Answers from Training for
Magic Valley and Lewis and Clark
Chapters of IDALA
~ 2004 ~**

1. **Q.** Can the family sign a resident's negotiated service agreement (NSA) if they do not have power of attorney?

- A.** Yes, a family member may sign the negotiated service agreement for the resident if he or she has been authorized, either explicitly or implicitly, to be the resident's representative as to the NSA.

Explicit authority exists when the family member or other has guardianship, a power of attorney, or when the resident has expressly written or stated that the person is his representative and is empowered to negotiate and sign the NSA. This should be in the form of a written statement signed by the resident or an affidavit signed by the representative and acknowledged by the resident.

Implied authority is when it is obvious to a reasonable person that the person acting as the representative has been vested with the authority to do what they have done. Even though there is no direct expression of that authority, the conduct of the resident and of the alleged representative is such that a reasonable person would conclude authority has been given the representative. If the facility relies upon such implied authority, it should be documented why it assumes the representative is empowered to act for the resident.

2. **Q.** If a negotiated service agreement (NSA) is older than one year old, should it be kept? If so where?

- A.** Yes, a negotiated service agreement that is older than one year should be kept. It may be retained either in the resident's current record or in the resident's overflow record.

The Rules for Licensed Residential or Assisted Living Facilities in Idaho, IDAPA 16.03.22.426.03, requires that residents' records be maintained at the facility for not less than one year after the resident has left the facility.

3. **Q.** Does the negotiated service agreement (NSA) need to be signed by a registered nurse?

- A.** A registered nurse (RN) needs to prepare the section of the NSA that addresses assistance with medications, for those residents that are receiving assistance.

The Rules for Licensed Residential or Assisted Living Facilities in Idaho, IDAPA 16.03.22.428.01, require that the delegation of assistance with medications be

completed in accordance with the Administrative Rules of the Board of Nursing, IDAPA 23.01.01, "Rules of the Board of Nursing."

Section 23.01.01.05.a of the Rules of the Board of Nursing require that a plan of care must be developed by a licensed professional nurse (RN) in order for a licensed nurse to delegate the task of assistance with medications to unlicensed assistive personnel.

4. Q. How do you test dishwasher for sanitation?

A. Contact the company who regularly services the dishwasher machine. A maximum reading thermometer is needed. If the dishwasher machine is a low temperature sanitizing unit, test strips from the food service distributor or service contractor are needed according to IDAPA 16.02.19.500.13 and 16.02.19.520.10.iv. Rules Governing Food Safety and Sanitation Standards for Food Establishments incorporated by reference in the Rules for Licensed Residential or Assisted Living Facilities in Idaho, which states that, "Test kits shall be provided that measure sanitizing solutions," and "Sanitizing temperature shall be considered acceptable when a reading of 160 degrees F is obtained on a maximum registering thermometer or there is a color change on 160 degree thermopaper when passed through the rinse cycle."

5. Q. What do dishwasher test strips test for? Where can the test strips be obtained?

A. Test strips are used to test chlorine residual in dishwashing machines or chlorine/quaternary ammonium concentrations in wiping cloths. Test strips can be purchased from the food equipment/service vendors, contractor/distributor. IDAPA 16.02.19.500.13, Rules Governing Food Safety and Sanitation Standards for Food Establishments, states that, "Test kits shall be provided that measure sanitizing solutions."

6. Q. In what circumstances does assisted living dietary staff need to use gloves in the preparation of food?

A. Gloves need to be used when the foods being prepared are "ready to eat," i.e., a sandwich. Gloves are also to be used for foods when no heat treatment will be used prior to serving foods, i.e., frosting on donuts or slicing tomatoes and lettuce for a salad or sandwich if a utensil can't be used. In addition, gloves or tongs are to be used when serving up ice from the ice box. IDAPA 16.02.19.200.06.g, Rules Governing Food Safety and Sanitation Standards for Food Establishments, states, "Single-use gloves, when used as a food handling utensil, shall be used for only one purpose such as working with ready-to-eat food..."

7. Q. Can any foods be stored on the floor?

A. The Rules for Licensed Residential or Assisted Living Facilities in Idaho, IDAPA 16.03.22, state that, "All food shall be stored off the floor," and IDAPA 16.02.19.200.07.b.ii, Rules Governing Food Safety and Sanitation Standards for Food Establishments, states and further qualifies that, "Pressurized beverage containers or

water proof containers such as cans or bottles, may be stored on a floor that is clean and dry.”

8. **Q.** Should chicken be washed in soap? Water?
 - A. All parts of a cut up chicken should be washed with warm water. When washing a whole chicken or turkey, the inside of the bird should be washed with warm water, making sure all loose materials is removed from the body cavity. In addition, the bird needs to be washed under the skin and around joints (i.e., under wings, etc.). *There is no regulatory requirement to wash chicken.* Washing the chicken cuts down the number of total bacteria/Salmonella which may be on the surface and on the inside of the chicken. It is recommended by producers to wash the carcass and bring to a high enough temperature to kill any pathogenic organisms.
9. **Q.** How should melons be washed?
 - A. Melons need to be washed to remove any contamination from the field and is usually washed by the “producer/distributor” to remove visible soil possibly containing fecal contamination. Whole melons may be washed with concentrations of chlorine in solution with water. The melon should then be rinsed to remove the sanitizing solution from the external surface. IDAPA 16.02.19.997.02, Rules Governing Food Safety and Sanitation Standards for Food Establishments, references the U.S. Food and Drug Code of Federal Regulations concerning sanitizing solution strengths.
10. **Q.** Can residents of the facility assist in food preparation when the food is served to all the residents of the facility?
 - A. This can only occur if the preparation is part of an authorized habilitation training program and when standard infection control precautions are part of the supervised program. Direct supervision of the food preparation would be required including all the safe food handling precautions that need to be taken. IDAPA 16.03.22.010.81 and 16.03.22.250.14, Rules for Licensed Residential or Assisted Living Facilities in Idaho, state that residents be supervised to include guidance and assistance with activities of daily living and that if the resident is hired by the facility to perform services as an employee of the facility, the wage paid shall be consistent with state and federal law.
11. **Q.** How good is the Hand Sanitizer? Does it satisfy the requirements?
 - A. The Federal Drug Administration (FDA) has not approved hand sanitizers for use in food preparation or service areas. They do not substitute for proper hand washing and glove techniques required in the safe preparation and serving of food. IDAPA 16.02.19.400.06.f, Rules Governing Food Safety and Sanitation Standards for Food Establishments, states that when using hand sanitizers, their use is to supplement, not replace, proper hand washing and may be used after hands are cleaned according to the rules.

12. Q. When staff who are both responsible for serving or preparation of meals and direct care to residents, where do they wash their hands and put on their apron after providing resident care? In the kitchen when they return to food preparation? In the restroom?
- A. Staff need to wash their hands in a place that is easily accessible to them and in a fashion where their hands will not be re-contaminated prior to commencing their food service duties. They should take off their apron prior to leaving the food preparation or service area when they are going to provide resident care. They then would put the apron back on when they resume the duties of food preparation or service. IDAPA 16.03.22.450.01.a, Rules for Licensed Residential or Assisted Living Facilities in Idaho, states that all persons working in the kitchen wear clean aprons. IDAPA 16.02.19.400.06.b, Rules Governing Food Safety and Sanitation Standards for Food Establishments, states employees wear only clean outer clothing and garments and in a manner that protects against the contamination of food and food contact surfaces.
13. Q. If residents grow their own vegetables may the facility use the vegetables?
- A. Yes, IDAPA 16.03.22.454.02, Rules for Licensed Residential or Assisted Living Facilities in Idaho, states only that raw unprocessed food and vegetables shall be thoroughly washed before use. Vegetables are not considered a potentially hazardous food under definition in IDAPA 16.02.19.005.107, Rules for Licensed Residential or Assisted Living Facilities in Idaho.
14. Q. Can the facility use freshly picked and cleaned huckleberries for pancakes, pies, and muffins?
- A. Yes. IDAPA 16.03.22.454.03, Rules for Licensed Residential or Assisted Living Facilities in Idaho, states home-canned foods shall not be served except home-canned jams, jellies, fruits, etc. Fruit is not considered a potentially hazardous food under definition in IDAPA 16.02.19.005.107, Rules for Licensed Residential or Assisted Living Facilities in Idaho.
15. Q. Should staff of a twelve (12) bed facility wear gloves when serving food?
- A. Gloves need to be used when the foods being prepared are "ready to eat" (i.e., a sandwich). Gloves are also to be used for foods when no heat treatment will be used prior to serving foods, i.e., frosting on donuts or slicing tomatoes and lettuce for a salad or sandwich. In addition, gloves or tongs are to be used when serving up ice from the ice box. IDAPA 16.02.19.200.06.h, Rules Governing Food Safety and Sanitation Standards for Food Establishments, states single use gloves, when used as a food utensil, shall be used for only one purpose such as working with ready-to-eat food.
16. Q. Where can we get continuing education units (CEUs) for food sanitation and safety?
- A. Contact the agency involved in approving the CEUs, because it depends who you are intending to get Continuing Education Units through. There may be food safety

classes that can be approved as CEUs, but approval needs to be done by the agency accepting the CEUs prior to your attending. You may be able to get approval for CEUs available through classes at the district health department, local extension service of the university/college, Idaho home study course available through this office (for free at this time), and from national industry training (Serv-Saf) and private consultants and are referenced in IDAPA 16.02.19.930, Rules Governing Food Safety and Sanitation Standards for Food Establishments. Check out the web under *Food Safety* for other classes, info, etc.

17. **Q.** Can mustard and catsup be out of the refrigerator for days at a time?
 - A. Yes, the pH of the two food products can allow storage at room temperatures, but the quality of the ingredients would degrade much quicker if there is long term storage at that temperature. IDAPA 16.03.22.453.05, Rules for Licensed Residential or Assisted Living Facilities in Idaho, states that food used in the facility is free from spoilage.
18. **Q.** Hot kitchens might cause a cook to sweat – any danger if sweat drips onto food?
 - A. Cooks need to take precautions in their uniforms/head gear to preclude sweat dripping into food. Yes, sweat could feasibly contain bacteria from the normal flora of the skin and create contamination of food products. IDAPA 16.02.19.400.07, Rules Governing Food Safety and Sanitation Standards for Food Establishments, states that employees working in direct contact with food refrain from poor hygienic practices that could result in the contamination of food.
19. **Q.** Are latex gloves okay for food preparation? What about the powder on the gloves, or must they be food service quality, and if so, where are they obtained?
 - A. Food service grade gloves may be latex or plastic and are available through food service supply company warehouses or distributors. The problem with latex gloves is the powder can cause allergies and asthma in people who have sensitivity to latex and the powder on the glove surface. Plastic gloves are available that do not cause allergy problems (un-powdered). IDAPA 16.02.19.200.06.h, Rules Governing Food Safety and Sanitation Standards for Food Establishments, states that single-use gloves, when used as a food utensil, shall be used for working with ready-to-eat foods and used for that purpose only.
20. **Q.** Why is it that elk or deer can not be used as a facility meat if properly handled by a certified meat processing place?
 - A. The actual field slaughter of the animal is the first step in processing. With wild game, the slaughter process is not observed/inspected and may occur under conditions that are not ideal where the meat becomes stressed and possibly adulterated. That means the animal taken from the wild will not have an inspection for disease, is held at temperatures greater than 45 degrees Fahrenheit for longer than four hours, and it comes from field conditions where it has been held under unsanitary conditions and possibly contaminated in some way as well. Those specific conditions mentioned are

referenced in IDAPA 16.02.19.005.03, Rules Governing Food Safety and Sanitation Standards for Food Establishments, and under IDAPA 16.02.1.100.08, all meat shall be obtained from regulated meat processing establishments and shall have been inspected for wholesomeness under an official regulatory program.

21. Q. Do you have a list of questions that a facility might ask staff regarding food handling knowledge?

A. Yes. See areas of knowledge below for training your staff and questions of basic knowledge they should know.

AREAS OF KNOWLEDGE

How do you prevent food-borne disease with good personal hygiene?

(A) Proper personal hygiene is essential in preventing foodborne illness. There are several different types of bacteria, viruses, and other harmful or pathogenic organisms that can be carried on the hands. These organisms can quickly grow in food and can result in causing foodborne illness. Proper hygienic practices, such as handwashing can help to minimize these organisms.

How does the person responsible for food service prevent the spread of food-borne illness by a facility food worker who has a disease or medical condition showing the symptoms of a food-borne illness?

(A) The Person-in-Charge is responsible for reporting to the local health district ANY employee who is diagnosed with one of the four following diseases: Shigella, Salmonella, Shiga Toxin producing types of E. coli, Hepatitis A. A Food Employee who is diagnosed with one of the above diseases must be excluded from working in the food service department until that person can be cleared by a physician as no longer having symptoms of the disease.

Describe the symptoms associated with diseases that are transmissible through food.

(A) The symptoms are: Diarrhea, Fever, Vomiting, Jaundice, Sore throat with fever, or pus filled lesions or open wounds that are draining located on the hands, wrists, or exposed parts of the arms.

Explain how time and temperature for potentially hazardous foods are related and used to prevent food-borne illness.

(A) Organisms that can cause food illnesses really like temperatures between 41°F. and 135°F. This range of temperature is often referred to as the "Danger Zone". Dangerous organisms that can cause foodborne illness require some time to grow. For most organisms, this time is about 4 hours. For this reason, foods must not be maintained in the "Danger Zone" for 4 hours or longer unless they are in the cooling

process. Foods that are MAINTAINED (not being cooled) at these temperature for 4 hours or longer MUST be discarded.

How can a person get sick from eating undercooked or raw food?

(A) Different dangerous organisms that can grow in food are typically destroyed by thorough cooking. Eating raw or undercooked foods may increase your risk of developing a foodborne illness as the food has not had a chance to pass through temperatures high enough to destroy any harmful organisms.

Give the food temperatures for safe cooking of meat, poultry, eggs and fish.

Type of food	MINIMUM temperature	MINIMUM cook time
Raw shell eggs* * Broken and prepared per customer order and for immediate service	145°F.	15 seconds
Fish	145°F.	15 seconds
Beef steaks	145°F.	15 seconds
Pork	145°F.	15 seconds
Commercially raised game	145°F.	15 seconds
Ground meats	155°F.	15 seconds
Ratites* *Includes Ostrich and Emu	155°F.	15 seconds
Poultry	165°F.	15 seconds
Stuffed meats	165°F.	15 seconds
Wild Game	165°F.	15 seconds
Stuffed pasta	165°F.	15 seconds

Give the required times and temperatures for safely refrigerating foods, for hot holding of food, for thawing foods, for micro-waving foods, for safely refrigerating foods for storage and reheating of foods.

(A)(see above chart). Hot holding – hold at 140 degrees F or higher. Refrigerate at less than 45 degrees F. Thawing foods –thawing is done in the microwave as part of the cooking process, under running water where the product is placed in a pan in the sink, as part of the cooking process, or in the refrigerator where temperatures do not exceed 45 degrees F.

How is a food-borne illness prevented in the management and control of:

- Cross contamination;
- Hand contact with ready to eat foods;
- Hand washing; and
- Maintaining surfaces to be smooth and easily cleanable.

- (A)a) Cross contamination is the process by which raw animal products of different species can come into contact with each other or contact with ready to eat foods. Examples include raw hamburger stored with raw chicken or raw meats stored over salads, allowing the meat juices to drip into the salads. The process allows bacteria that could be in the different meats to contaminate the other meats or ready to eat foods. To control for this, raw meats must be stored correctly and with adequate separation between the raw products and ready to eat products. Raw meats should NEVER be stored above ready to eat foods. When storing raw meats, store beef steaks, fish, and pork above ground meats, and ground meats above poultry.
- b) Bare hand contact with ready to eat foods allows any organisms that may be on one's hands to contaminate the foods. To control for this, always wear disposable gloves or use utensils when working with ready to eat foods.
- c) Proper hand washing is also part of the control for (b). Handwashing is one of the most critical steps when working with foods, even if you are wearing gloves. You must always wash your hands when changing gloves or before putting on new gloves.
- d) Maintaining the facility in good repair and clean helps to ensure that dust and other debris cannot contaminate food. Broken equipment should be replaced and the establishment should maintain a regular cleaning schedule.

Explain how equipment and food safety are related when it comes to:

- a) Having enough and large enough equipment; and
- b) Properly designed, constructed, located, installed, operated, maintained and cleaned (explain procedures to clean equipment).

(A)Having sufficient equipment is important to ensure that foods are maintained at proper temperatures at all times. For example, if a food establishment has one small refrigerator and is trying to maintain cold foods as well as cool other foods in that small refrigerator, the cold air will not be allowed to circulate properly. This will result in the foods either not staying cold enough or the foods not being cooled in the required 6 hour time frame. This equipment must also be designed, constructed, located, installed, operated, and cleaned for similar reasons. Equipment that is not designed, constructed, located, installed, operated, or cleaned properly, will not do the job you want it to do. The result could be contaminated (adulterated) food, and a higher cost associated with repairing the equipment.

Maintaining clean and sanitized utensils and food contact surfaces helps to ensure against the possibility of cross-contamination. These utensils and surfaces must be washed, rinsed with clear water and then sanitized by either a chemical sanitizer OR heat sanitization. It is your responsibility to know which process your establishment uses AND the proper sanitizer concentration or the proper temperature for heat sanitization. Utensils and food contact surfaces must be allowed to air dry.

Explain how safe water can become contaminated with bad plumbing.

- (A) It is your responsibility to know the source of the water used. Typically, this will be a municipal source such as "The city of ____". In some cases, a well may have been approved. If so, you are responsible for conducting water tests at the times the local health district or The Department of Environmental Quality requires (typically at least once every 3 months). You should also be able to identify where backflow prevention devices are located. Typically, these will either be atmospheric vacuum breakers installed on the faucets or some other similar, approved device. If you have hoses that hang from a faucet, you must ensure that these do not hang at a level that will allow them to lie in standing water. Typically, this is done by hanging the hose so that the end is above the water level. Another effective step to ensure prevention of backflow is the installation of air gaps.

How do you identify toxic materials and how do you ensure that those materials are safely stored, dispensed, used and disposed of.

- (A) Poisonous and toxic materials could include bulk chemical sanitizers, cleaning solutions, approved pesticides, and/or personal first aid items. It should be noted that unless your establishment is a store that sells products like motor oils, other automotive fluids, paints, and other toxic items, these types of products are NOT allowed to be in the restaurant. Toxic and poisonous materials must be stored in a secure location separate from food preparation, cooking, or warewashing areas. All toxic and poisonous materials MUST be labeled.

Identify critical control points that when not controlled may contribute to food-borne illnesses. How are steps taken to ensure those critical control points are controlled?

- (A) CCP's are essentially any point of the process that if something goes wrong, could result in a foodborne illness. Examples may include receiving temperatures, holding temperatures, cooking temperatures, cooling times, personal hygiene, and cleaned and sanitized equipment. You are responsible for understanding how to deal with these issues and what you should do if these CCP's are not met. This may include discarding the food.

Explain the details of your critical control point plan if required.

- (A) To answer this question, you must first know if a HACCP plan is required. If you are not sure, please contact the local health district or facility standards. HACCP means "Hazard Analysis and Critical Control Points". Critical Control Points or CCP's may include, but are not limited to: cooking temperatures, cooling procedures, holding temperatures, and personal hygiene practices. What you do to control for these will be specific to your establishment, but generally, if a CCP is violated, the food must either be reconditioned (such as re-cooked) or discarded. Hazard Analysis is a process that allows you to identify particular needs for your establishment. Examples could include, but are not limited to: knowing the temperatures in coolers and hot holding units, knowing concentrations of sanitizing solutions, and being familiar with

the cleaning policies and procedures for your establishment. Typically, these items require verification with thermometers, test strips, or other necessary equipment.

Explain the responsibilities of the food service employee and the person responsible for food service.

(A) Answers could include, but are not limited to, ensuring that the food is safe, wholesome, and honestly presented. This means not serving foods that have become adulterated by temperature, hygiene, or cleanliness violations. The Person-in-Charge and the Food Employees are also responsible for being familiar with this code and understanding that violations of this code could result in a foodborne illness. The Person-in-Charge and the Food Employee are responsible for reporting any diseases and symptoms that could be easily transmitted in food. In addition, the Person-in-Charge and the Food Employee are responsible for appropriately limiting the activities of an Employee that may have some of these symptoms and/or diseases. The Regulatory Authority is responsible for checking compliance with this code by conducting routine inspections. These inspections can be conducted at any reasonable time, and may be unannounced. If the Person-in-Charge and/or the Food Employees do not allow a Regulatory Authority to conduct these inspections, it is a violation of this code, and should be noted as such. The Regulatory Authority is also responsible for maintaining confidentiality of trade secrets and other information.